



October 31, 2008

DMH LETTER NO.: 08-08

TO: LOCAL MENTAL HEALTH DIRECTORS

SUBJECT: ISSUES THAT COUNTIES SHOULD CONSIDER IN DETERMINING
WHICH MIOCR FUNDING SERVICES CAN BE FUNDED WITH
MHSA FUNDS

The Department of Mental Health (DMH) has received questions from counties regarding clarification on Chapter 88, also known as the trailer bill to the Budget Act, enacted on September 23, 2008 included intent language as follows:

“It is the intent of the Legislature for counties to consider ways to provide services similar to those established pursuant to the Mentally Ill Offender Crime Reduction Grant Program using Mental Health Services Act Funds, as referenced in section 5813.5 of the Welfare and Institutions Code and as appropriate under the act.”

This language does not change the Mental Health Services Act (MHSA) in terms of how counties can use MHSA funds for Mentally Ill Offender Crime Reduction (MIOCR) related mental health services. In all cases, including services related to MIOCR activities, MHSA funds are to be used to expand mental health services, and cannot be used for law enforcement or judicial personnel, or law enforcement and judicial functions or activities.

The attached legal opinion of Attorney General Bill Lockyer provides additional clarification on this matter.

If you have any questions, please contact Denise Arend, Deputy Director, Community Services at (916) 654-3551.

Sincerely,

Original signed by

STEPHEN W. MAYBERG, Ph.D.
Director

Enclosure